FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

CRIMINAL WRIT PETITION NO.151 OF 2006

Office Notes, Office Memoranda of Coram appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

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Mr.Subhash Jha i/by Law Global for the petitioner.

Mr.P.S.Hingorani APP for the State.

Coram : R.S.Mohite,J

Date : 30.01.2006

PC

1. This is a petition impugning 145 proceedings which have been initiated against the petitioner by and on behalf of respondent no.1. On perusal of the complaint it is clear that it is the case of respondent no.1 that they have never parted with the possession of flat no.104 to the petitioner. On 17.3.2002 forcible possession of the flat was taken by the respondent alongwith 15 to 20 gundas. On being asked to show

the intimation of the possession or the possession receipt, the same could not be shown to me. The other grievance that was made is that the matter is pending since long before the trial Court. In my view, there is no substance in the petition and there is a prima facie case made out to invoke the provisions of Section 145 proceedings. 145 proceedings are however, expedited and the same will be decided and disposed of as expeditiously as possible and in any case by the end of this year. It is made clear that the observation in this order will not be used in the 145 proceedings and the petitioner will be at liberty to adduce all documents in support of his case. Petition stands dismissed.

(R.S.Mohite,J)